

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

WARING PARK,

Plaintiff,

vs.

GINNY LEWIS, NEVADA DMV
DIRECTOR,

Defendant.

3:08-cv-00423-LRH-VPC

ORDER

This closed civil rights case comes before the Court on the plaintiff's amendment to complaint, motion for preliminary injunction (#10¹) and plaintiff's motion for injunction (#11). Plaintiff filed his complaint without either an application to proceed *in forma pauperis* or with the requisite \$350.00 filing fee. Minute Order (#3) directed Plaintiff to either pay the filing fee or complete an application to proceed *in forma pauperis* and file it with the clerk of the court by a specified date and that failure to do so would result in a recommendation for dismissal of the action. Plaintiff requested an extension of time to respond to the Minute Order (#4) and was granted to December 1, 2008, to do so (#5). Plaintiff responded with a Notice of In Forma Pauperis Application is a Constitutional Violation (#6). A Report and Recommendation of U.S. Magistrate Judge (#7) was filed outlining the history of Plaintiff's refusal to comply with the court's orders and recommended the denial of *in forma pauperis* status to Plaintiff and that the action be dismissed

¹Refers to court's docket number.

1 without prejudice An order (#8) adopting and accepting the recommendation of the Magistrate
2 Judge was filed and Judgment was entered (#9). Plaintiff filed his amendment to complaint, motion
3 for preliminary injunction (#10) and motion for injunction (#11). The present action, however, is
4 closed.

5 IT THEREFORE IS ORDERED that the plaintiff's amendment to complaint, motion for
6 preliminary injunction (#10) and plaintiff's motion for injunction (#11) is DENIED. If plaintiff
7 wishes to pursue his claims, he must file a new complaint in a new action accompanied by either the
8 required \$350.00 filing fee or a properly completed application to proceed *in forma pauperis*.

9 IT THEREFORE IS ORDERED that the Clerk of the Court shall accept no further filings,
10 including letters, from Plaintiff in this action other than a notice of appeal from this order.

11 DATED this 1st day of July, 2009.



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15 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE
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